

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

In re NuWay Litigation

Consolidated Civ. Case No. 21-cv-171
(SRN/DLM)

JOINT STIPULATION OF DISMISSAL

The United States, the State of Minnesota, the Relators, and Defendants, under Fed. R. Civ. P. 41(a)(1) and the False Claims Act, 31 U.S.C. § 3730(b)(1), and based on the terms of the parties' Settlement Agreement, hereby stipulate to the entry of an order dismissing the consolidated actions as follows:

1. Except as provided in paragraph 2, the consolidated actions are dismissed with prejudice as to all Relators' claims in these actions against all named defendants (individually and collectively, "NUWAY"); with prejudice as to the United States and the State of Minnesota against NUWAY as to the Covered Conduct in the parties' Settlement Agreement; and otherwise without prejudice.

2. The dismissal in paragraph 1 excludes Relator Marston's claims under 31 U.S.C. § 3730(h), Minn. Stat. § 15C.145, Minn. Stat. §§ 181.931-933, 935-936, Minn. Stat. § 317A.521, his claim under the Declaratory Judgment Act, 28 U.S.C. § 2201, his common law claims for breach of contract and declaratory

judgment, his certain unfiled ERISA claims, and his claims for attorneys' fees, expenses, and/or costs in connection with such claims.

3. A proposed order accompanies this Stipulation.

Dated: July 21, 2025

Respectfully submitted,

JOSEPH H. THOMPSON
Acting United States Attorney

/s/Lucas B. Draisey
BY: LUCAS B. DRAISEY
Assistant U.S. Attorney
Attorney ID No. 0401625
600 U.S. Courthouse
300 South Fourth Street
Minneapolis, MN 55415
(612) 664-5664
Email: Lucas.Draisey@usdoj.gov

Dated: July 21, 2025

/s/ Toni M. Lee
TONI M. LEE
Assistant Attorney General,
Medicaid Fraud Division
Office of the Minnesota Attorney
General
445 Minnesota Street Suite 600
Saint Paul, MN 55101
651-757-1080
Toni.lee@ag.state.mn.us
Attorneys for the State of Minnesota

Dated: July 3, 2025

/s/ Nancy Hylden
NANCY HYLDEN
Hylden Advocacy & Law
310 4th Avenue South, Suite 9200
Minneapolis, MN 55415
612-418-6520

nhylden@hyldenlaw.com

Attorneys for Plaintiff-Relator Walsh

Dated: July 10, 2025

/s/ Ryan Morrison

RYAN MORRISON

Tom Greene

Greene LLP

75 Park Plaza 2nd Floor

Boston, MA 02116

888-532-3513

rmorrison@greenellp.com

Attorneys for Plaintiff-Relator

Kluender

Dated: July 3, 2025

/s/ Nicole Engisch

NICOLE ENGISCH

Chelsea McLean

Dorsey & Whitney LLP

50 South 6th Street #1500

Minneapolis, MN 55402

612-340-2600

Engisch.nicole@dorsey.com

Attorneys for Plaintiff-Relator

Marston

Dated: July 2, 2025

/s/ Manda Sertich

MANDA SERTICH

Fredrikson & Byron, P.A.

60 South 6th Street #1500

Minneapolis, MN 55402

612-492-7000

msertich@fredlaw.com

Attorneys for Defendants